REMARKS/ARGUMENTS

The Applicants originally submitted Claims 1-21 in the application. In the present response, the Applicants have amended Claims 3, 10 and 17. Support for this amendment is in paragraph 44 of the original specification. No other claims have been canceled or added. Accordingly, Claims 1-21 are currently pending in the application.

I. Rejection of Claims 1-21 under 35 U.S.C. §103

The Examiner has rejected Claims 1-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,381,242 to Maher. The Applicants respectfully disagree since Maher does not teach or suggest transmitting commands to an external device including "dynamically modifying an argument" and generating a "transmit command as a function of a context associated with the modified argument" as recited in independent Claims 1, 8 and 15.

Maher is directed to a content processor that scans, classifies and modifies network traffic based on content. (*See* column 1, lines 5-7.) Maher teaches a network apparatus 100 that includes a traffic flow scanning engine 140 and a quality of service (QoS) processor 116 for processing network data. (*See* column 5, lines 42-46 and Figure 2.) The traffic flow scanning engine 140 employs a content processor 110 to determine an action for the data and the QoS processor 116 processes data packets of the network data based on the determinations of the traffic flow scanning engine 140. (*See* column 7, lines 7-17.)

The Examiner asserts that the QoS processor 116 is configured to dynamically modify an argument and generate a transmit command as a function of a context associated with the modified argument. (*See* Examiner's Action, page 2.) The QoS processor 116, however, is not configured

to modify an argument but instead is configured to modify the data packets of the network data. (*See* column 7, lines 64-66.) Additionally, even assuming that a data packet is equivalent to an argument as asserted by the Examiner, the QoS processor 116 does not generate a transmit command based on a modified data packet. Maher simply teaches that modified data packets are sent to an output interface to be placed on the network. (*See* column 8, lines 2-6.) Accordingly, Maher neither teaches nor suggests each element of independent Claims 1, 8 and 15.

Since Maher does not teach or suggest each and every element of independent Claims 1, 8 and 15, Maher does not provide a *prima facie* case of obviousness of Claims 1, 8 and 15 and Claims dependent thereon. Claims 1-21, therefore, are not unpatentable over Maher. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103 rejection with respect to Claims 1-21 and allow issuance thereof.

Specifically addressing dependent claims, the Applicants do not find where Maher teaches or suggests "an external device that is a routing switch processor" as recited in dependent Claims 5, 12 and 19. On the contrary, the network apparatus 100 itself, that includes the QoS processor 116 cited by the Examiner, is a routing switch processor. (*See* column 5, lines 42-46, column 6, lines 39-58 and Figure 2.) In addition, the Applicants do not find where Maher either teaches or suggests generating a transmit command "based on an external device" as recited in Claims 3, 10 and 17.

II.   Comment on Cited References

The Applicants reserve further review of references cited but not relied upon if relied upon in the future.
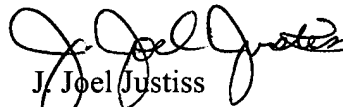
III. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-21.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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